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EXAMINER NO. 22,852
Attorney Docket No.: 08698.0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter J. W. STERK

Application No.: 10/019,775

Filed: April 12, 2002

For: AGENT FOR OCCLUDING
BLOOD VESSELS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

In response to the Office Action dated October 9, 2003, Applicant respectfully requests reconsideration of the subject application in light of the following remarks. In the Office Action, the Office required the election of a single disclosed species: a) an occlusion agent comprising a liquid fibrinogen preparation, or b) an occlusion agent comprising histoacryl glue.

The election requirement is respectfully traversed. However, to be fully responsive, Applicant elects, with traverse, the a) occlusion agent comprising a liquid fibrinogen preparation, which reads on claims 1-3. The Examiner admits that claims 1 and 3 are generic.

Applicant respectfully submits that they have a statutory right under 35 U.S.C. § 112, second paragraph, to claim the subject matter they regard as their invention as

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